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### **U.S. AND VILLAGE OF SOUTH ELGIN SETTLE FAIR HOUSING LAWSUIT, ALLOWING GROUP HOME FOR UP TO SEVEN RECOVERING ADDICTS**

CHICAGO – The United States and the Village of South Elgin have agreed to settle a lawsuit alleging that the village violated the federal Fair Housing Act when it refused a permit to allow Unity House, Inc., to operate a home for up to seven residents recovering from addictions to drugs and alcohol, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, and Justice Department officials announced today. The agreement calls for the village to pay a total of \$55,000 to interested parties without admitting any liability.

Under the settlement, which was filed today in U.S. District Court and submitted to U.S. District Judge Amy St. Eve for approval, the village must allow proprietor Bret Mathis and Unity House to operate at 618 East State St., with up to seven residents recovering from drug or alcohol addiction. Although denying any wrongdoing, the village has agreed to pay \$25,000 in damages to Unity House, \$7,500 each to two residents who were not able to live in the home when the permit was denied, and \$15,000 to the United States as a civil penalty.

“This settlement should send a message to other communities that no municipality, driven by neighborhood opposition, can prohibit persons recovering from addictions from enjoying the benefits of living in the safe and supportive environment of a group home,” Mr. Fitzgerald said.

The United States’ lawsuit, filed in September 2005, alleged that the village had violated the Fair Housing Act in 2003 when it denied Unity House’s request to operate the home for seven residents because of the disabilities of the residents and prospective residents. Neighbors, according to the complaint, had appeared at public meetings to oppose the group home for discriminatory reasons. Under the Fair Housing Act, persons recovering from drug or alcohol addiction are protected from discrimination in housing because they are recovering from addiction. Persons who are currently using illegal drugs, however, are not protected by the disability provisions of the Fair Housing Act.

The settlement agreement also requires the Village Board and other relevant village employees to receive training on the Fair Housing Act and requires the village to keep and maintain records for the next three years relating to other zoning and land use requests regarding homes for persons with disabilities.

The government was represented by Assistant U.S. Attorney Joan Laser and the Civil Rights Division of the U.S. Department of Justice.

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